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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

12 In re LIDODERM ANTITRUST
13 LITIGATION

MDL Docket No. 14-md-02521-WHO

14 This Document Relates to All
15 Cases

**JOINT STIPULATION AND ORDER
MODIFYING SCHEDULE**

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1 The parties stipulate, subject to this Court's approval, by and through their respective
2 counsel, as follows:

3 The parties are currently completing expert discovery.

4 Defendants' manufacturing expert, Mr. Benoit Cossart, was scheduled to be deposed on
5 June 23, 2017. Mr. Cossart submitted a rebuttal report in response to Plaintiffs' manufacturing
6 expert, Dr. Kenneth Miller.

7 On June 19, 2017, Plaintiffs requested that Mr. Cossart's deposition be postponed as a
8 family medical situation has created a conflict for one of the attorneys taking the deposition.

9 The parties have conferred and propose a modest revision to the case schedule to
10 accommodate Plaintiffs' request.

11 Under the current case schedule, opening Rule 56 and *Daubert* motions are due June 30,
12 2017, Oppositions are due August 7, 2017 and Replies are due August 25, 2017. (Dkt. 743.) The
13 hearing for these motions is set for September 15, 2017. (Dkt. 743.)

14 Subject to the Court's approval, the parties agree that Mr. Cossart will now be deposed on
15 July 7, 2017.

16 The parties further agree that *Daubert* motions for Dr. Miller and/or Mr. Cossart, as well as
17 any separate manufacturing-related summary judgment motion, may be filed on July 14, 2017, one
18 week after Mr. Cossart's deposition. Any such motions are in addition to the motions to be filed
19 on June 30, 2017, and will be limited to 10 pages for the initial motion, 10 pages for the
20 opposition, and 6 pages for reply. The parties further agree that *Daubert* motions for Dr. Miller
21 and/or Mr. Cossart and any manufacturing-related summary judgment motion will be limited to
22 one motion per side (rather than one per party).

23 The parties agree that the Oppositions and Replies for any motions filed on July 14, 2017
24 will still be due on August 7, 2017 and August 25, 2017, respectively. Therefore, there will be no
25 modification to any of the other scheduled dates, including the Court's September 15 hearing date.

26 So agreed and stipulated.

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1 DATED: June 20, 2017

2 Respectfully submitted by:

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ATTESTATION STATEMENT

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I, Karen Lent, am the ECF User whose identification and password are being used to file this JOINT STIPULATION AND [PROPOSED] ORDER MODIFYING SCHEDULE. Pursuant to Civil L. R. 5-1(i)(3), I attest under penalty of perjury that concurrence in this filing has been obtained from all counsel.

21 /s/ Karen Lent

22 Karen Lent

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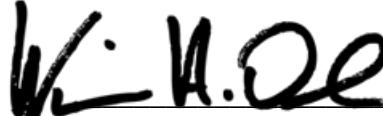
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1 **ORDER**
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3 PURSUANT TO THE STIPULATION, IT IS SO ORDERED.
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5 Dated: June 21, 2017
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10 The Honorable William H. Orrick III
11 United States District Judge
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